

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) 2:14-CR-203-LDG-(CWH)
)
Plaintiff,)
)
v.) Amended Preliminary Order of Forfeiture
)
DANIEL ROBERT WARDLAW,)
)
Defendant.)

This Court finds that defendant Daniel Robert Wardlaw pled guilty to Count One of a One-Count Superseding Criminal Information charging him with Possession of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(5)(B). Superseding Criminal Information, ECF No. 76; Plea Agreement, ECF No. 61; Change of Plea, ECF No. 78.

This Court finds defendant Daniel Robert Wardlaw agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information. Superseding Criminal Information, ECF No. 76; Plea Agreement, ECF No. 61; Change of Plea, ECF No. 78.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information and the offense to which defendant Daniel Robert Wardlaw pled guilty.

The following property is (1) any visual depiction described in Title 18, United States Code, Section 2252A, or any book, magazine, periodical, film, videotape, or other matter which

contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Section 2252A(a)(5)(B); (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from violations of Title 18, United States Code, Section 2252A(a)(5)(B); and (3) any property, real or personal, used or intended to be used to commit or to promote the commission of Title 18, United States Code, Section 2252A(a)(5)(B), or any property traceable to such property, and is subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1), (a)(2), and (a)(3):

1. Samsung cell phone, SN R21D89DALPL;
2. White Apple iPod Touch, 5th Generation, SN CCQL72J9F4K1;
3. Nokia cell phone IMEI #359333041581168;
4. PNY 8GB USB,
5. Polaroid i1036 digital camera with 4 GB media card;
6. Sony DCR-SX85 digital camera, SN 1422103;
7. Purple notebook; and
8. Compaq PC tower, SN 4CE92705QD

(all of which constitutes property).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of Daniel Robert Wardlaw in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government

1 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
2 property, state the time under the applicable statute when a petition contesting the forfeiture must
3 be filed, and state the name and contact information for the government attorney to be served
4 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
5 Section 853(n)(2).

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
7 entity who claims an interest in the aforementioned property must file a petition for a hearing to
8 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
9 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
10 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
11 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
12 facts supporting the petitioner's petition and the relief sought.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
14 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
15 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
16 sixty (60) days after the first day of the publication on the official internet government forfeiture
17 site, www.forfeiture.gov.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
19 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
20 the following address at the time of filing:

21 Michael A. Humphreys
22 Assistant United States Attorney
23 Daniel D. Hollingsworth
24 Assistant United States Attorney
25 501 Las Vegas Boulevard South, Suite 1100
26 Las Vegas, Nevada 89101.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
26 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate

1 agency following publication of notice of seizure and intent to administratively forfeit the above-
2 described property.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
4 of this Order to all counsel of record.

5 DATED this 8 day of December, 2016.

6
7
8 
9 UNITED STATES DISTRICT JUDGE
LLOYD D. GEORGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26